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July 6, 2025

BY ECF

Hon. Lewis L. Liman
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: Lively v. Wayfarer Studios LLC, et al., No. 1:24-cv-10049-LJL

Dear Judge Liman:

For nonparties Katherine Case and Breanna Butler Koslow, we respectfully request an extension of time to comply with two subpoenas duces tecum (Dkts. 322-1 & 322-2) by tomorrow, July 7, 2025.

Background: As Your Honor is aware, on June 24, 2025, the Court heard argument on a motion to compel compliance with these subpoenas and issued an order from the bench (Dkt. 381) ordering Ms. Case and Ms. Butler Koslow to complete their productions by July 7, 2025 utilizing a collection and processing vendor to be provided by plaintiff Blake Lively.

Ms. Case and Ms. Butler Koslow's Efforts to Comply: Given that prompt action to meet that deadline was required, immediately following argument, we reached out to counsel for Ms. Lively to ask to be put in touch with their e-discovery vendor, as contemplated by Your Honor's ruling. Ms. Lively's counsel connected us with that vendor the next day (June 25) and we immediately took action to proceed with collection—first conducting a call with that team when it was first available (on June 26), discussing process with them, and arranging for multi-hour document collections on the dates that first worked for both the vendor and Ms. Case and Ms. Butler Koslow. Because Ms. Lively's counsel insisted on on-premises collections, those collections could not be scheduled remotely, and could only occur when our clients were available in person. Those collections occurred on June 30 and July 1.

Since then, despite best efforts by all involved, including Ms. Lively's chosen e-discovery vendor, the data from Ms. Case and Ms. Butler Koslow's devices has yet to be processed. As a result, the parties have not yet been able to conduct a meet and confer regarding each side's proposed search terms—which terms Ms. Lively's counsel proposed to substantially expand just before close-of-business on July 3 (*see* Ex. A)—and review of the data collected under agreed terms has yet to begin.



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Ms. Case and Ms. Butler Koslow’s Request for an Extension: Considering these circumstances, we respectfully request an initial extension of our time to comply with the subpoenas through and including July 18, 2025. Counsel for Ms. Lively had indicated—before proposing to drastically expand search terms—that they could agree to an extension through and including July 14, 2025 (Ex. B), averring that they wanted time “to process and review the productions” prior to Ms. Lively’s deposition on July 17, 2025. Given that—through no fault of our nonparty clients—we have been unable to commence our review of data sets of as-yet-unknown scales, full compliance by that proposed date (July 14) seems unlikely or impossible at this time. We therefore propose July 18, based on presently known information, and we thank the Court for the time, attention, and consideration.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Maxwell Breed', with a large, stylized flourish at the end.

Maxwell Breed

cc. Counsel of Record (by ECF)